



IFW

ATTORNEY DOCKET NO. 04150.0003U2  
PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of )  
 )  
 **Hesketh, et al.** ) Art Unit: **1645**  
 )  
 Application No. **10/561,734** ) Examiner: **Unassigned**  
 )  
 Filing Date: **June 12, 2006** ) Confirmation No. **7801**  
 )  
 For: **"PROTEIN EXPRESSION SYSTEM"** )

**TRANSMITTAL LETTER**

**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

NEEDLE & ROSENBERG, P.C.  
Customer Number 23859

July 5, 2007

Sir:

Transmitted herewith is the following in the above-identified application:

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Petition to Extend Time                         |
| <input type="checkbox"/> Fee as calculated below                     | <input type="checkbox"/> Supplemental Declaration                        |
| <input checked="" type="checkbox"/> No Additional Fee Required       | <input type="checkbox"/> Terminal Disclaimer                             |
| <input type="checkbox"/> Corrected Drawings                          | <input checked="" type="checkbox"/> Other <u>Copies of 25 References</u> |

| CLAIMS AS AMENDED  |  |  |   |   |   |                   |
|--|--|--|---|---|---|-------------------|
| CLAIMS REMAINING<br>AFTER AMENDMENT  |  | HIGHEST NUMBER<br>PREVIOUSLY PAID<br>FOR                   | PRESENT<br>EXTRA  | RATE  |   | ADDITIONAL<br>FEE |
| Total Claims   |  |  | 0   | X \$50.00   |   | \$0.00            |
| Independent<br>Claims  |  |  | 0   | X \$200.00  |   | \$0.00            |
| <input type="checkbox"/> First Presentation of a Multiple Dependent Claim                                |  |  |   | + \$360.00  |   | \$0.00            |
| EXTENSION<br>FEE   | 1 <sup>st</sup> Month<br>\$120<br><input type="checkbox"/> | 2 <sup>nd</sup> Month<br>\$450<br><input type="checkbox"/> | 3 <sup>rd</sup> Month<br>\$1020<br><input type="checkbox"/> | 4 <sup>th</sup> Month<br>\$1590<br><input type="checkbox"/> | 5 <sup>th</sup> Month<br>\$2160<br><input type="checkbox"/> | \$0.00            |
| <input type="checkbox"/> Reduction by ½ for filing by SMALL ENTITY (Note 37 C.F.R. §1.9, §1.27, §1.28) - |  |  |   |   |   | - \$0.00          |
| TOTAL FEE DUE  |  |  |   |   |   | \$0.00            |

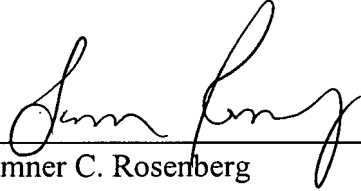
ATTORNEY DOCKET NO. 04150.0003U2  
APPLICATION NO. 10/561,734

Payment:

- ☐ A check in the amount of \$\_\_\_\_\_ is enclosed.
- ☐ Payment by credit card in the amount of \$0.00 for the fees designated below. (Form PTO-2038 enclosed).  
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.
- ☐ The Commissioner is authorized to charge our Deposit Account No. 14-0629 in the amount of \$\_\_\_\_\_ to cover the above-listed additional fees. A duplicate copy of this transmittal is enclosed.
- ☒ In the event of an overpayment or improper payment of a required fee, the Commissioner is authorized to charge or credit our Deposit Account No. 14-0629 as required to correct the error.

Respectfully submitted,

NEEDLE & ROSENBERG, P.C.

  
Sumner C. Rosenberg  
Registration No. 28,753

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CERTIFICATE OF EXPRESS MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence, including any items indicated as attached or included, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

  
Sumner C. Rosenberg

7/5/07  
Date



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PATENT

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|---|---|------------------------------|
| In re Application of                    | ) |                              |
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| <b>Hesketh, et al.</b>                  | ) | Art Unit: <b>1645</b>        |
|   | ) |                              |
| Application No. <b>10/561,734</b>       | ) | Examiner: <b>Unassigned</b>  |
|   | ) |                              |
| Filing Date: <b>June 12, 2006</b>       | ) | Confirmation No. <b>7801</b> |
|   | ) |                              |
| For: <b>"PROTEIN EXPRESSION SYSTEM"</b> | ) |                              |

**INFORMATION DISCLOSURE STATEMENT**

**Mail Stop Amendment**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

NEEDLE & ROSENBERG, P.C.  
Customer Number 23859

Sir:

Pursuant to the requirements of 37 C.F.R. § 1.56, submitted herewith on the accompanying Information Disclosure Statement List is a listing of documents known to Applicants and/or their attorneys. In accordance with 37 C.F.R. § 1.98(a)(2), copies of any cited U.S. patent or U.S. patent application publication documents are not enclosed. Copies of any cited foreign patent document and/or any non-patent publication are enclosed.

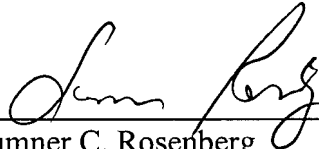
This Information Disclosure Statement is believed to be filed in a timely manner pursuant to 37 C.F.R. § 1.97(b)(3), in that a first Office Action on the merits of the present patent application has not yet been mailed to Applicants.

Consideration of the cited documents and making the same of record in the prosecution of the above-referenced application are respectfully requested.

No fee is believed due; however, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0629.

Respectfully submitted,

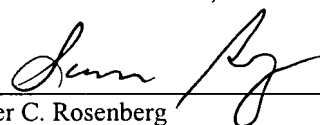
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Sumner C. Rosenberg

7/5/07  
Date



## INFORMATION DISCLOSURE STATEMENT LIST

(Use as many sheets as necessary)

Complete if Known

|                      |               |
|----------------------|---------------|
| Application Number   | 10/561,734    |
| Filing Date          | June 12, 2006 |
| First Named Inventor | John Hesketh  |
| Group Art Unit       | 1645          |
| Examiner Name        | Unassigned    |

### U.S. PATENT DOCUMENTS

| Examiner's Initials | Cite No. | Document No. | Date       | Name         | Class | Subclass | Filing Date |
|---------------------|----------|--------------|------------|--------------|-------|----------|-------------|
|                     | A1       | 2003/0066096 | 04-03-2003 | Bryan        | 800   | 8        |             |
|                     | A2       | 6,436,682    | 08-20-2002 | Bryan et al. | 435   | 189      |             |
|                     | A3       | 2002/0004942 | 01-10-2002 | Bryan        | 800   | 288      |             |
|                     | A4       | 6,247,995    | 06-19-2001 | Bryan        | 446   | 473      |             |
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|                     | A8       | 5,876,995    | 03-02-1999 | Bryan        | 435   | 189      |             |
|                     |          |              |            |              |       |          |             |
|                     |          |              |            |              |       |          |             |

### FOREIGN PATENT DOCUMENTS

| Examiner's Initials | Cite No. | Foreign Patent Document<br>Country Code-Number-Kind Code | Date       | Name                          | Translation Yes/No |
|---------------------|----------|--|------------|-------------------------------|--------------------|
|                     | A9       | WO 02/46430  | 06-13-2002 | Applied Research Systems      | Yes                |
|                     | A10      | WO 00/50616  | 08-31-2000 | University Technologies Int'l | Yes                |
|                     | A11      | WO 00/26366  | 05-11-2000 | Nat'l University of Singapore | Yes                |
|                     | A12      | WO 99/49010  | 09-30-1999 | Unilever N.V.                 | Yes                |
|                     | A13      | WO 99/13090  | 03-18-1999 | Rowett Research Institute     | Yes                |
|                     | A14      | WO 98/36081  | 08-20-1998 | Memorial Sloan-Kettering      | Yes                |
|                     | A15      | WO 97/29319  | 08-14-1997 | Bruce J. Bryan                | Yes                |
|                     | A16      | WO 93/04165  | 03-04-1993 | Wisconsin Milk Marketing      | Yes                |
|                     | A17      | WO 91/13151  | 09-05-1991 | Biogen, Inc.                  | Yes                |
|                     | A18      | EP 0 279 582   | 08-24-1988 | Baylor College of Medicine    | Yes                |
|                     | A19      | EP 0 266 057   | 05-04-1988 | Merck & Co. Inc.              | Yes                |
|                     |          |  |            |                               |                    |
|                     |          |  |            |                               |                    |

### NON-PATENT DOCUMENTS

| Examiner's Initials | Cite No. | Non-Patent Citations (include Author, Title, Publisher, Relevant Pages, Date and Place of Publication)  |
|---------------------|----------|---|
|                     | A20      | EBI Accession No. EM-PRO: U89490 (Sequence Listing).  |
|                     | A21      | EBI Accession No. UNIPROT: Q9BLZ2 (Sequence Listing).   |
|                     | A22      | HESKETH et al., "Intracellular Sorting of Macromolecules," Biochemical Society Transactions, Volume 24 No. 2 pp. 521-527, (1996).   |
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NON-PATENT DOCUMENTS (CONT'D)

| Examiner's Initials | Cite No. | Non-Patent Citations (include Author, Title, Publisher, Relevant Pages, Date and Place of Publication)   |
|---------------------|----------|--|
|                     | A24      | INOUE S. et al., "Imaging of luciferase secretion from transformed Chinese hamster ovary cells," Proc. Natl. Acad. Sci., Vol. 89, pp. 9584-9587, (October 1992).   |
|                     | A25      | Instruction Manual Entitled "pSecTag2/Hygro A, B, and C," Catalog No. V910-20.   |
|                     | A26      | KIM et al., "Molecular Cloning and Expression of Human Gal $\beta$ 1,3GalNAc $\alpha$ 2,3-Sialyltransferase (hST3Gal II)," Biochemical and Biophysical Research Communication, Vol. 228, pp 324-327, (1996).   |
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|                     | A31      | THOMPSON et al., "Cloning and expression of cDNA for the luciferase from the marine ostracod Vargula hilgendorfii," Proc. Natl. Acad. Sci., Vol. 86, pp. 6567-6571; (September 1989).  |
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Examiner Signature:

Date Considered:

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.